



## *Baldwin Park Operable Unit*

Don Vanderkar - Co-Chairperson

Steve Richtel - Co-Chairperson

December 17, 1997

Mr. John Kemmerer  
Assistant Chief, Site Cleanup Branch  
Superfund Division  
United States Environmental Protection Agency  
75 Hawthorne St.  
San Francisco, CA 94105-3901

Re: Extension of Deadline for Submittal of a Good Faith Offer, Baldwin Park  
Operable Unit

Dear Mr. Kemmerer:

On May 15, 1997, the EPA issued Special Notice letters to 19 PRPs including the members of the Baldwin Park Operable Unit Steering Committee. Because of the discovery of perchlorate shortly thereafter, the good faith offer response date was first moved to August 29, 1997, and then to February 15, 1998. This letter requests a further extension to November 30, 1998.

The discovery of perchlorate brought to a halt the Steering Committee's negotiations of an agreement with MWD and 3-Valleys for a cleanup project tied to a water supply project. The parties had planned to execute agreements for the project at the same time as the Steering Committee entered into a Consent Decree with the United States. The timing for issuance of Special Notice Letters was intended to coincide with that program. The discovery of perchlorate not only stalled the project, but it also undermined two key assumptions of the Special Notice Letters which were also central to formulating a good faith offer. First, sampling from production wells indicated that the leading edge of the perchlorate plume was beyond the line of extraction wells as defined in the EPA-approved extraction plan. This means that the southern portion of the extraction plan needs to be reevaluated not only as to the positioning of wells but also as to the rate of extraction necessary to achieve migration control. Second, there was no known and accepted treatment technology for perchlorate so that there was no method for disposal of the water. EPA granted an initial extension to August 29, 1997, with a second extension to February 15, 1998. The condition on which you granted the second extension date was a Steering Committee program to address these two uncertainties.

As conditions of the extension of the response date, the Steering Committee agreed to 1) prepare an amendment to the well monitoring program to drill two additional multiport monitoring wells at sites agreed to with EPA staff, and possible additional wells upon receipt of sampling data from the first two wells, 2) perform a screening of treatability technologies for perchlorate and 3) conduct a two phase treatability study on biological treatment for removal of perchlorate. These plans were submitted to EPA and found acceptable and served to justify the extension of the response date to Special Notice to February 15, 1998.

The Steering Committee understands that the February extension date was selected because it would be shortly after the completion of Phase #1 of the treatability study and after receipt of the results of sampling data from the first two monitoring wells. As a result, EPA would have an opportunity to evaluate progress before considering any further extension. However, it was clear at the time the extension was granted that neither EPA nor the Steering Committee would have the data necessary to formulate 1) a new extraction plan, 2) a satisfactory treatment for perchlorate, or 3) a new project for disposal of the water.

More recently, EPA staff has asked the Steering Committee to conduct treatability studies of other perchlorate treatment technologies. The Steering Committee has been highly resistant to this request in light of the fact that there are at least two other major perchlorate plumes in the Los Angeles basin with well identified sources, and other sites nationally such as Las Vegas, Nevada and Cedar City, Utah, all of which will require treatment. Many of these sites are under the regulatory control of the EPA. We do not believe that it is fair to place the whole burden of investigating other treatment technologies on this Steering Committee. Nonetheless, we have been working with the San Gabriel Basin Watermaster to begin a treatability study of ion exchange as a perchlorate removal technology since it has been generally accepted as the most likely successful alternative to bioremediation. The Watermaster is also considering evaluating other technologies. This work is being organized under the auspices of the Perchlorate Coordinating Team created by the Watermaster. At a meeting on December 10, 1997, the team agreed to proceed with work proposed by Montgomery Watson and Calgon to develop a schedule for ion exchange treatability studies. This was made possible by the commitment of financial support from the Steering Committee, the Raymond Basin, the Santa Clarita Water Company and the Watermaster. As a result, we believe that the EPA objective of studying technologies other than bioremediation is now being met in a timely fashion.

As you may be aware, the next step in the bioremediation treatability study is Phase #2. Phase #1 involves only a 30 gpm system which is being run by consultants to the Steering Committee at Aerojet in Sacramento. If it proves as successful as initial results suggest, Phase #2 will scale the system up and will place it on one of the perchlorate contaminated wells of a water purveyor in the San Gabriel Basin. In furtherance of this phase, the Steering Committee has already begun negotiations with La Puente County Water District to place the Phase #2 system at its well site in La Puente. We have also started negotiations with Three Valleys Municipal Water District to do the study under its auspices.

Under the original proposal to EPA, Phase #2 is to be completed on November 15, 1998. As a result, the Steering Committee believes that a date shortly after the completion of Phase #2 is appropriate for the extension of the response date for the Special Notice Letters, and we have picked November 30, 1998. By that date, it is our expectation that Phase #2 will

be complete and sufficient new well monitoring data will have been obtained to formulate a new extraction plan and extraction rate.

It is worthy to point out, however, that a number of issues may not be resolved by November 30, 1998, and that the parties will not be back in the same condition that led to the issuance of the Special Notice Letters on May 15, 1997. The issues that may remain unresolved are the following: 1) Any project will need the approval of the Department of Health Services on the suitability of the water for domestic consumption, 2) the EPA may wish to have the results of the ion exchange treatability study in hand, 3) the Steering Committee, MWD and Three Valleys will still be working to reconstruct the project under the new conditions of extraction and treatment, 4) the parties may need to amend the Environmental Impact Report under CEQA and the Environmental Assessment under NEPA for the reconstituted project, 5) the EPA may be in the process of setting a new MCL for perchlorate at a level that could affect the objectives of the project, and 6) the ROD may need an ESD or amendment to address perchlorates, not just VOCs.

Based on the foregoing, the Steering Committee believes that an extension of the response date to the Special Notice Letters is warranted. If the current date is not extended, the Steering Committee could respond with no more than a progress report since it cannot commit to a project without a known plan of extraction, volume and quality of water to be treated, method of treatment and method of disposal of the water. We believe that we are making timely and successful progress to solve all of these uncertainties and look forward to continued cooperation with the EPA and many other stakeholders both public and private to contain and remedy the groundwater contamination in the Baldwin Park Operable Unit.

Sincerely,



Donald Vanderkar, Co-Chairman  
Baldwin Park Operable Unit Steering Committee

cc: BPOU Steering Committee  
John Catts  
Jerry Gilbert  
Peter Quinlan